

**RESOLUTION NO. 20210610-052**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City to acquire certain real property interests for the public uses as set out below; and

**WHEREAS**, the City has attempted to purchase those needed real property interests, but has been unable to agree with the owner on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

The City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City against the owner now having, or who may acquire, an interest in the real property interests necessary to the City, described below, for the public uses set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

**BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owners:	La Tierra de Simmons Familia, Ltd., a Texas limited partnership
Project:	City of Austin Corridor Mobility Program, South Lamar Boulevard Corridor Project

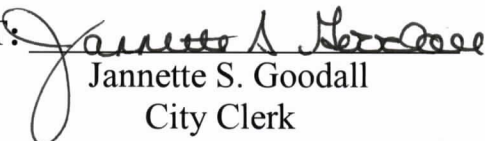
Public Use: To provide connectivity between many local attractions, homes, sidewalks, and bicycle lanes.  
A sidewalk, trail, and recreational easement as described in the attached Exhibit "A" is necessary to install, construct, operate, use, maintain, repair, modify, upgrade, monitor, inspect, replace, make connections with multi-use trails, and promenade structures and related facilities in, under, upon and across the property as described in Exhibit "A".

Location: 2901 S. Lamar Blvd., Austin, Travis County, Texas 78704  
  
The general route of the project is along South Lamar Boulevard between Riverside Drive to US 290, in Travis County, Texas. (District 5)

Property: Described in the attached and incorporated Exhibit A.

**ADOPTED:** June 10, 2021

**ATTEST:**

  
Jannette S. Goodall  
City Clerk

## EXHIBIT "A"

<b>City of Austin:</b>	Corridor Program	Parcel 5308.005 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0192 Acres, 838 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 1 of 6
<b>Segment From:</b>	Barton Springs Road	September 16, 2020
<b>Limits To:</b>	US 290	Revised November 5, 2020
<b>RCSJ:</b>	0113-09-072	

### DESCRIPTION OF PARCEL 5308.005 STARE

DESCRIPTION OF A 0.0192 OF ONE ACRE (838 SQUARE FOOT) PARCEL, OUT OF THE HENRY P. HILL LEAGUE NO. 21, ABSTRACT NO. 14, IN THE CITY OF AUSTIN, TRAVIS COUNTY, TEXAS, BEING OUT OF LOT 2, JAY LYNN JOHNSON SUBDIVISION NUMBER TWO, A SUBDIVISION OF RECORD IN BOOK 82, PAGES 309,310, PLAT RECORDS, TRAVIS COUNTY, TEXAS, SAID LOT 2 CONVEYED TO LA TIERRA DE SIMMONS FAMILIA, LTD. BY DEED, EXECUTED JULY 22, 2009, AS RECORDED IN DOCUMENT NO. 2009124819, OFFICIAL PUBLIC RECORDS, TRAVIS COUNTY, TEXAS; SAID 0.0192 OF ONE ACRE PARCEL BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING at a 1/2 inch iron rod found at an angle point in the north line that tract described as Lot 1 in said Jay Lynn Johnson Subdivision Number 2 (save & except 7,780 square feet) conveyed to Corners Shopping Center Limited Partnership by deed, as recorded in Volume 12011, Page 2937, Real Property Records, Travis County, Texas, and in the south line of a 7,780 square foot tract for street purposes conveyed to the City of Austin by deed, as recorded in Volume 9747, Page 264, Real Property Records, Travis County, Texas, and being in the existing south right-of-way line of South Lamar Boulevard (varying width), from which a 1/2 inch iron rod found bears South 39°10'51" East 0.93 feet;

THENCE, along the north line of said Corners Shopping Center Limited Partnership tract and the south line of said 7,780 square foot City of Austin tract and the existing south right-of-way line of South Lamar Boulevard, North 48°55'16" East 186.46 feet to a 1/2 inch iron rod found at the most westerly northeast corner of said Corners Shopping Center Limited Partnership tract, being at the southeast corner of said 7,780 square foot City of Austin tract and in the west line of said Lot 2 and said La Tierra de Simmons Familia tract;



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<b>City of Austin:</b>	Corridor Program	Parcel 5308.005 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0192 Acres, 838 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 2 of 6
<b>Segment From:</b>	Barton Springs Road	September 16, 2020
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### DESCRIPTION OF PARCEL 5308.005 STARE

THENCE, along the west line of said Lot 2 and said La Tierra de Simmons Familia tract and the east line of said 7,780 square foot City of Austin tract and the existing south right of way line of South Lamar Boulevard, **North 41°03'15" West 2.94 feet** to a calculated point at the southwest corner of this parcel for the POINT OF BEGINNING, being 55.00 feet right of Engineer's Baseline Station 152+05.92, and having Surface Coordinates of N=10,062,502.44 E=3,102,276.46;

- 1) THENCE, along the west line of this parcel, continuing along the west line of said Lot 2 and said La Tierra de Simmons Familia tract and the east line of said 7,780 square foot City of Austin tract and the existing south right-of-way line of South Lamar Boulevard, **North 41°03'15" West 5.99 feet** to a calculated point at the northwest corner of this parcel, said Lot 2 and said La Tierra de Simmons Familia tract and at the northeast corner of said 7,780 square foot City of Austin tract;
- 2) THENCE, along the north line of this parcel, said Lot 2 and said La Tierra de Simmons Familia tract and the existing south right-of-way line of South Lamar Boulevard, **North 48°56'45" East 131.52 feet** to a 1/2 inch iron rod found at the northeast corner of this parcel, said Lot 2 and said La Tierra de Simmons Familia tract, being in the existing west right-of-way line of Barton Skyway (varying width);
- 3) THENCE, along the east line of this parcel, said Lot 2 and said La Tierra de Simmons Familia tract and the existing west right-of-way line of Barton Skyway, with a curve to the right, whose delta angle is **52°40'34"**, a radius of **15.00 feet**, an arc distance of **13.79 feet**, and the chord of which bears **North 75°43'47" East 13.31 feet** to a calculated point at the southeast corner of this parcel, being 55.00 feet right of Engineer's Baseline Station 153+49.32, from which a 1/2 inch iron rod with cap (illegible) found bears, with a curve to the right, whose delta angle is **48°42'08"**, radius is 15.00 feet, an arc distance of 12.75 feet, and the chord of which bears **South 53°34'17" East 12.37 feet**;

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<b>City of Austin:</b>	Corridor Program	Parcel 5308.005 STARE
<b>Corridor:</b>	South Lamar Boulevard	0.0192 Acres, 838 Sq. Ft.
<b>Segment:</b>	SOLA-C2	Page 3 of 6
<b>Segment From:</b>	Barton Springs Road	September 16, 2020
<b>Limits To:</b>	US 290	Revised November 5, 2020
<b>RCSJ:</b>	0113-09-072	

### DESCRIPTION OF PARCEL 5308.005 STARE

- 4) THENCE, along the proposed south line of this parcel, crossing said Lot 2 and said La Tierra de Simmons Familia tract, **South 48°56'56" West 143.41 feet** to the POINT OF BEGINNING and containing 0.0192 of one acre (838 square feet) of land within these metes and bounds.

### Notes

1. All bearings and coordinates described herein are based on the Texas Coordinate System (TCS), Central Zone (4203), North American Datum of 1983 (NAD 83 2001 Adjustment, Epoch 2010.00. All distances and coordinates described herein are Surface and may be converted to Grid by dividing the combined Adjustment Factor of 1.00011. All measurements are in U.S. Survey Feet.
2. A parcel plat of even date was prepared in conjunction with this property description.
3. \*\*The monument(s) described as "calculated" may be set with a typical ROW/Easement marker, after acquisition is completed, under the supervision of a Registered Professional Land Surveyor, either employed or retained by the City of Austin.
4. Stations and offsets are relative to Corridor Centerline provided by Engineer on 05/12/2020.

**EXHIBIT "A"**

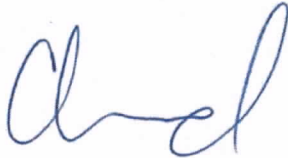
**City of Austin:** Corridor Program  
**Corridor:** South Lamar Boulevard  
**Segment:** SOLA-C2  
**Segment From:** Barton Springs Road  
**Limits To:** US 290  
**RCSJ:** 0113-09-072

Parcel 5308.005 STARE  
0.0192 Acres, 838 Sq. Ft.  
Page 4 of 6  
September 16, 2020  
Revised November 5, 2020

**DESCRIPTION OF PARCEL 5308.005 STARE**

**SURVEYED BY:**

**McGRAY & McGRAY LAND SURVEYORS, INC.**  
3301 Hancock Dr., Ste. 6  
Austin, TX 78731 (512) 451-8591  
TBPELS Survey Firm# 10095500



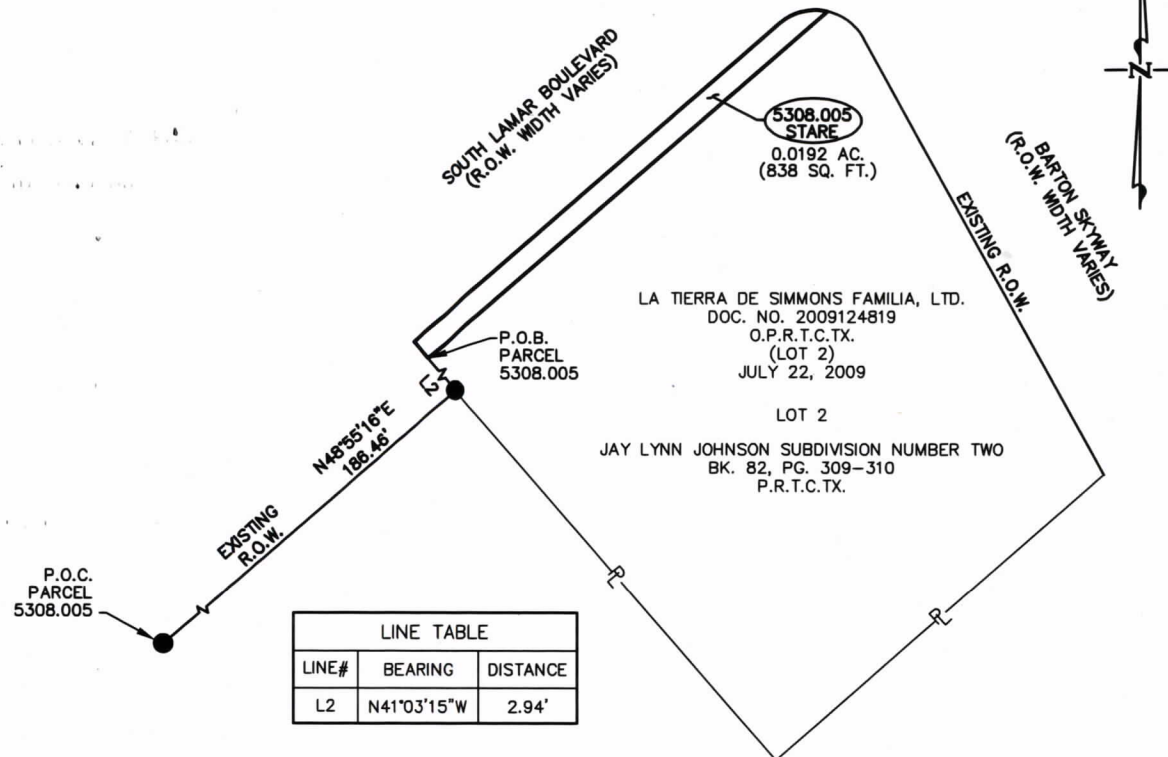
11/05/2020

Chris Conrad, Reg. Professional Land Surveyor No. 5623  
M:/COA-CORRIDORS-2018/LAN-18-050\_S Lamar/Descriptions/Parcel 5308.005

Date

AUSTIN GRID G-20  
PROPERTY ID: 305346

HENRY P. HILL LEAGUE NO. 21  
ABSTRACT NO. 14



LINE TABLE		
LINE#	BEARING	DISTANCE
L2	N41°03'15\"W	2.94'

PROPERTY INSET  
N.T.S.

I HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THE PROPERTY SHOWN HEREIN WAS DETERMINED BY A SURVEY MADE ON THE GROUND UNDER MY DIRECTION AND SUPERVISION.



11/05/2020

CHRIS CONRAD, REG. PROF. LAND SURVEYOR NO. 5623 DATE  
Note: There is a description to accompany this plat.

**NOTES:**

1. ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED ON THE TEXAS COORDINATE SYSTEM (TCS), CENTRAL ZONE (4203), NORTH AMERICAN DATUM OF 1983 (NAD 83) 2011 ADJUSTMENT, EPOCH 2010.00. ALL DISTANCES AND COORDINATES SHOWN HEREON ARE SURFACE AND MAY BE CONVERTED TO GRID BY DIVIDING THE COMBINED ADJUSTMENT FACTOR OF 1.00011. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
2. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
3. \*\*THE MONUMENT(S) DESCRIBED AS "CALCULATED" MAY BE SET WITH TYPICAL ROW/EASEMENT MARKER, AFTER ACQUISITION IS COMPLETED, UNDER THE SUPERVISION OF A REGISTERED PROFESSIONAL LAND SURVEYOR, EITHER EMPLOYED OR RETAINED BY THE CITY OF AUSTIN.
4. STATIONS AND OFFSETS ARE RELATIVE TO CORRIDOR CENTERLINE PROVIDED BY ENGINEER ON 5/12/2020.
5. NO RECORD EASEMENT INFORMATION FOUND FOR SOME UTILITIES SHOWN.

EXHIBIT "A"

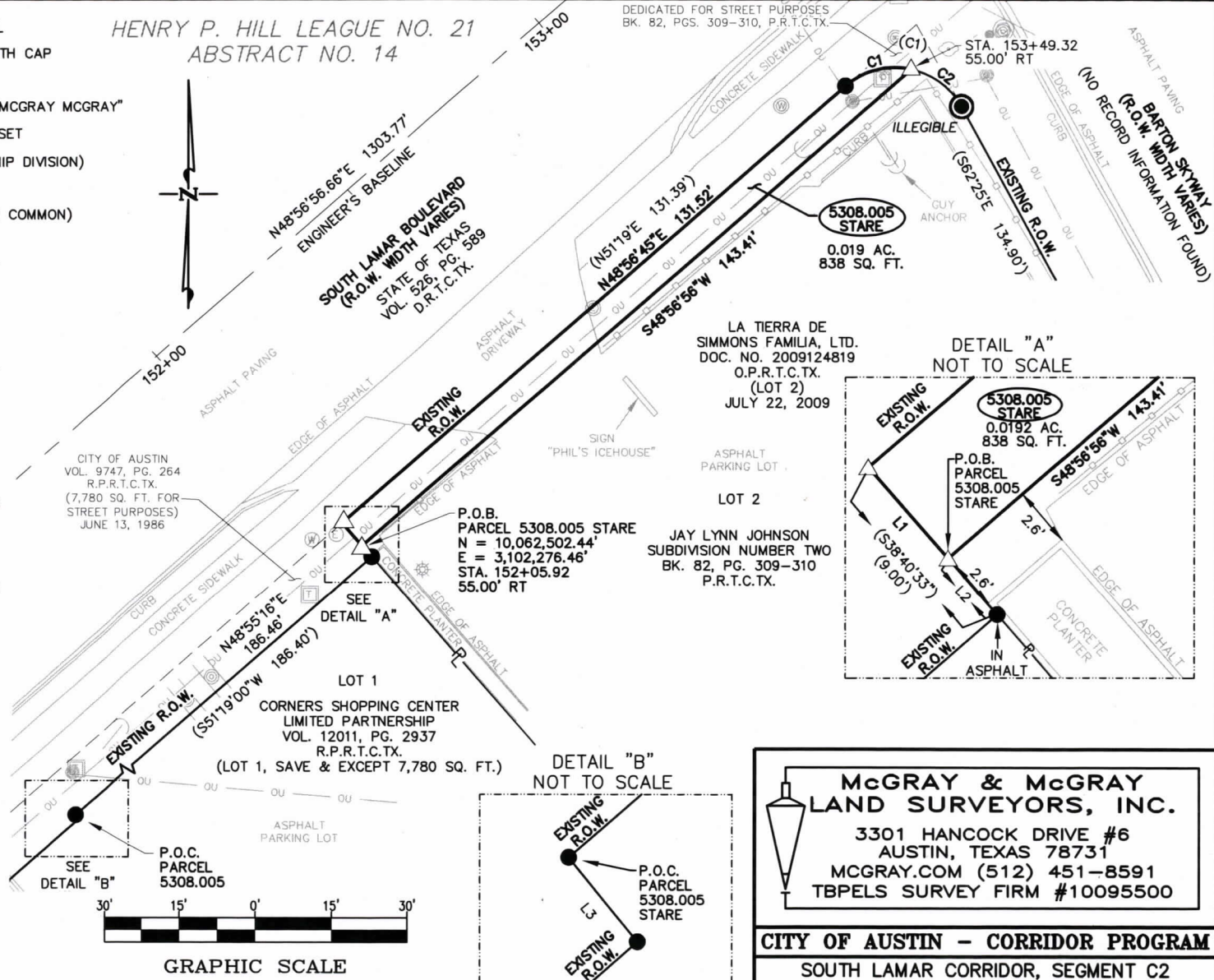
REVISIONS	
11/05/2020	ADDED IMPROVEMENTS
-	-
<b>McGRAY &amp; McGRAY LAND SURVEYORS, INC.</b> 3301 HANCOCK DRIVE #6 AUSTIN, TEXAS 78731 MCGRAY.COM (512) 451-8591 TBPELS SURVEY FIRM #10095500	
<b>CITY OF AUSTIN - CORRIDOR PROGRAM</b>	
SOUTH LAMAR CORRIDOR, SEGMENT C2	
PARCEL PLAT - 5308.005 STARE	
0.0192 ACRES, (838 SQ. FT.)	
RCSJ:	0113-09-072 AUSTIN GRID# G-20
SURVEY DATE:	09/16/2020 PROJECT: 20-040
REVISION DATE:	11/05/2020 PROPERTY ID: 305346
SCALE:	N.T.S. SHEET: 5 OF 6



# LEGEND

- 1/2" FOUND IRON ROD WITH CAP
- FOUND 1/2" IRON ROD
- 1/2" IRON ROD SET W/ "MCGRAY MCGRAY"
- △ CALCULATED POINT, NOT SET
- P— PROPERTY LINE (OWNERSHIP DIVISION)
- DISTANCE NOT TO SCALE
- DEED LINE (OWNERSHIP IN COMMON)
- ① PARCEL NUMBER
- P.U.E. PUBLIC UTILITY EASEMENT
- (XXXX) RECORD INFORMATION
- R.O.W. RIGHT-OF-WAY
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- N.T.S. NOT TO SCALE
- D.R.T.C.TX. DEED RECORDS TRAVIS COUNTY, TEXAS
- O.R.T.C.TX. OFFICIAL RECORDS TRAVIS COUNTY, TEXAS
- O.P.R.T.C.TX. OFFICIAL PUBLIC RECORDS TRAVIS COUNTY, TEXAS
- P.R.T.C.TX. PLAT RECORDS TRAVIS COUNTY, TEXAS
- R.P.R.T.C.TX. REAL PROPERTY RECORDS TRAVIS COUNTY, TEXAS
- ⊗ WATER VALVE
- ⊙ STORM DRAIN MANHOLE
- ⊙ WASTEWATER MANHOLE
- ⊙ ELECTRIC MANHOLE
- ⊙ JUNCTION BOX ELECTRIC
- ⊙ ELECTRIC PEDESTAL
- ⊙ POWER POLE
- ⊙ LIGHT POLE
- OU — OVERHEAD UTILITY LINE
- ⊙ SINGLE POST SIGN
- HCR HANDICAP RAMP
- ⊙ FIRE HYDRANT
- IRON FENCE

## HENRY P. HILL LEAGUE NO. 21 ABSTRACT NO. 14



LINE TABLE		
LINE#	BEARING	DISTANCE
L1	N41°03'15"W	5.99'
L2	N41°03'15"W	2.94'
L3	S39°10'51"E	0.93'

CURVE TABLE						
CURVE#	LENGTH	RADIUS	DELTA	TANGENT	BEARING	DISTANCE
C1	13.79'	15.00'	52°40'34"	7.43'	N75°43'47"E	13.31'
(C1)	26.77'	15.00'	102°16'	18.61'	S77°33'E	23.36'
C2	12.75'	15.00'	48°42'08"	6.79'	S53°34'17"E	12.37'

**McGRAY & McGRAY**  
**LAND SURVEYORS, INC.**

3301 HANCOCK DRIVE #6  
AUSTIN, TEXAS 78731  
MCGRAY.COM (512) 451-8591  
TBPELS SURVEY FIRM #10095500

**CITY OF AUSTIN - CORRIDOR PROGRAM**

**SOUTH LAMAR CORRIDOR, SEGMENT C2**

**PARCEL PLAT - 5308.005 STARE**

**0.0192 ACRES, (838 SQ. FT.)**

RCSJ: 0113-09-072	AUSTIN GRID# G-20
SURVEY DATE: 09/16/2020	PROJECT: 20-040
REVISION DATE: 11/05/2020	PROPERTY ID: 305346
SCALE: 1" = 30'	SHEET: 6 OF 6

EXHIBIT "A"